



**United States Department of Justice**  
United States Attorney's Office  
Western District of Texas

LIANE NOBLE  
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Civil Division

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June 24, 2022

***Via email and CM/ECF***

Michael Moates  
2700 Colorado Boulevard, Apt.1526  
Denton, Texas 76210  
mike@behaviormed.org

RE: **Moates v. Biden, et al**  
Civil Action No. 6:22-CV-00626-ADA  
United States District Court, Western District of Texas (Waco Division)

Dear Mr. Moates:

I write regarding the above referenced case, which you have filed with the United States District Court for the Western District of Texas. You have not yet effected service on Joseph Biden, President of the United States. Under Federal Rule of Civil Procedure 4(i)(2), to serve a United States agency or corporation, or a United States officer or employee sued only in an official capacity, a party must serve the United States and also send a copy of the summons and of the complaint by registered or certified mail to the agency, corporation, officer, or employee.

To satisfy the first prong of Rule 4(i)(2)—service on the United States—a party must comply with Rule 4(i)(1). Specifically, Rule 4(i)(1) directs that service upon the United States shall be accomplished by (1) delivery of a copy of the summons and complaint to the United States Attorney for the district in which the action is brought (or upon an employee designated by the United States Attorney in writing filed with the Clerk of the Court in which the action is brought); or (2) by sending the summons and complaint, by registered or certified mail, addressed to the Civil-Process Clerk at the U.S. Attorney's office; and by sending copies of the summons and complaint, by registered or certified mail, to the Attorney General of the United States, United States Department of Justice, 950 Pennsylvania Avenue, N.W., Washington, D.C. 20530.

You may accomplish service upon the U.S. Attorney's Office by having the summons and your complaint mailed by certified or registered mail to:

Civil Process Clerk  
U.S. Attorney's Office – Western District of Texas  
601 NW Loop 410, Suite 600  
San Antonio, TX 78216.

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According to the docket, you have yet to request issuance of any summons in this matter.

Additionally, please be advised that the United States is not among those individuals or entities specified by Rule 4(d)(1) to waive service of a summons.


I hope that you can appreciate that with approximately 1,000 civil complaints filed yearly against the United States in our District, strict compliance on service is required in order to ensure proper tracking and timely responses for these cases. Please perfect service as required by the Federal Rules of Civil Procedure. Until proper service has been accomplished on the United States, the United States is not properly joined in your action and no answer or responsive pleading is required. Fed. R. Civ. P. 12(a)(2).

Thank you for your attention to this matter.

Respectfully Submitted,

Ashley C. Hoff  
United States Attorney

By:

  
Liane Noble  
Assistant U.S. Attorney

cc: United States District Clerk  
800 Franklin Ave., Room 380  
Waco, Texas 7670